

Message Text

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ACTION IO-14

INFO OCT-01 CIAE-00 CU-04 INR-07 NSAE-00 AID-05 USIA-06

AF-10 ARA-10 EA-07 EUR-12 NEA-10 ISO-00 DHA-02

INRE-00 SSO-00 OIC-02 L-03 SP-02 SS-15 NSC-05

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FM AMEMBASSY PARIS

TO SECSTATE WASHDC IMMEDIATE 6685

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NESCO

C O R R E C T E D C O P Y (PARA 5 LINE 7)

E.O. 11652: N/A

TAGS: OCON, PORG, SHUM, UNESCO

SUBJECT: UNESCO: PROPOSED DUE PROCESS MACHINERY FOR

EXAMINING COMPLAINTS OF MEMBER STATES AGAINST

EACH OTHER

REFS: (A) STATE 175442, (B) PARIS 19936

ACTING PERMREP DISCUSSED STRATEGY FOR HANDLING US
"DUE PROCESS" INITIATIVE WITH EXBD PRESIDENT LEN MARTIN
WHO PRESIDING OVER HUMAN RIGHTS WORKING GROUP
MEETING AT UNESCO HEADQUARTERS. HE ALSO DISCUSSED
SUBJECT MATTER WITH DDG FOBES.

2. MARGIN BELIEVES THAT INITIATIVE WOULD BEST BE
RAISED UNDER PROVISIONAL AGENDA ITEM 5.5.2 (STUDY OF
PROCEDURES WHICH SHOULD BE FOLLOWED IN THE EXAMINATION
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OF CASED AND QUESTIONS RE HUMAN RIGHTS) FOR FOLLOWING
REASONS: (A) ITEM 3.2.1 (WORKING METHODS OF EXECUTIVE
BOARD) IT IS ENVISAGED, WILL DEAL WITH PURELY
TECHNICAL QUESTIONS SUCH AS FINDING PROCEDURAL WAYS TO
SAVE THE BOARD'S TIME, AND THUS WILL NOT CONCERN SUB-
STANTIVE ISSUES; (B) AN ATTEMPT TO DISCUSS UNDER ITEM
3.2.1 SUBSTANCE SHUCH AS THAT EMBODIED IN US INITIATIVE

WOULD THEREFORE CHANCE GREATER OPPOSITION THAN IF BROACHED UNDER ITEM 5.5.2 WHICH WILL BE DEALING SPECIFICALLY WITH HUMAN RIGHTS ISSUES INVOLVING STATES AS PARTIES TO DISPUTE; (C) OUTLINE OF PRINCIPLES ENVISIONED BY US INITIATIVE (REFTELA) WOULD FIT WELL WITH (ANTICIPATED) RECOMMENDATIONS OF HUMAN RIGHTS WORKING GROUP WHICH CURRENTLY MEETING, THAT CRE BE CONSIGNED CASES INVOLVING INDIVIDUALS, BUT THAT SEPARATE PROCEDURE SHOULD BE SOUGHT FOR HANDLING COMPLAINTS BETWEEN STATES.

3. MARTIN HAD NO OBJECTION TO PROPOSAL THAT EXBD BE ASKED TO AUTHORIZE A STUDY OF "DUE PROCESS" MACHINERY (PARA. 2 C, REFTEL A), BUT BELIEVES THAT THE STATEMENT OF WHAT WE ARE ASKING FOR IN THE STUDY BE FLESHED OUT IN GREATER DETAIL. OTHERWISE, THE EXBD WILL NOT KNOW WHAT IT IS ASKING TO BE DONE.

4. FINALLY, MARTIN SAID THAT HE DOES NOT ANTICIPATE ANY SERIOUS RESISTANCE TO INITIATIVE AS IT GENERALLY EXPECTED THAT US WOULD CONTINUE TO PURSUE IT. HE COUNSELED, HOWEVER, THAT WE NOT GIVE THE IMPRESSION OF "HASTE" IN PUSHING FOR ACTION, AND THAT WE SHOULD CAREFULLY MEASURE OUR STEPS THROUGHOUT THE PROCESS.

5. BOTH MARTIN AND FOBES SUGGESTED THAT WE SHOULD GO LIMITED OFFICIAL USE

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TO "SELECTED" CAPITALS TO SOFTEN THE GROUP FOR OUR INITIATIVE, AND SOUND OUT POSSIBILITIES FOR CO-SPONSORS AT THE SAME TIME IF DEPARTMENT FEELS CO-SPONSORSHIP NECESSARY. SUCH DEMARCHE MIGHT ATTEMPT TO HEAD OFF POSSIBLE OPPOSITION AS WELL AS TO DEVELOP SUPPORT. BOTH AGREED THAT THE US INITIATIVE ALTHOUGH RELATED TO THE GENERAL SUBJECT OF HUMAN RIGHTS, SHOULD BE REGARDED AS A SEPARATE ISSUE INVOLVING DIFFERENT KINDS OF POLITICAL CONFLICTS BETWEEN MEMBER STATES OF UNESCO.
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Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
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Format: TEL
From: PARIS
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ISecure: 1
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